IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl..No. 1526 of 2007()

CRIME NO. 35 OF 2007 OF KUNNAMKULAM POLICE STATION

PETITIONER/ACCUSED

SOMAN.K.A., S/O.ACHUTHAN,
AGED 33 YEARS, KANDIRUTHI HOUSE, KUNNAMKULAM VILLAGE, PATTAMBI ROAD, KUNNAMKULAM, THRISSUR DISTRICT.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS: STATE

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1526 OF 2007

DATED: 14-03- 2007

O R D E R

Petitioner who is the first accused in Crime No.35 of 2007 of Kunnamkulam Police Station for offences punishable under Sections 143, 147, 148, 324, 306 and 30 read with Sec. 149 I.P.C. seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that on 11-1-2007 at about 11.45 p.m. the de facto complainant was attacked by accused Nos. 1 to 5 armed with deadly weapons like sword etc. from in front of the Kunnamkulam Central Bar. The de facto complainant has sustained injuries including fracture of his left hand. It was the petitioner who was allegedly wielding the sword.

2. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 20-3-2007 and 22-03-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the petitioner shall be produced before the Magistrate concerned who shall consider and dispose of the application for regular bail filed by the petitioner preferably on the same date on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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